

must get all of the facts. How else can we determine what to do?

"The New York Herald and Public Service Commissions have failed to meet the situation. No one can doubt the existence of an emergency. Something must be done or New York is going to be left in a bad way. The only logical and reasonable starting point, as far as I can see, is what the Governor has recommended, get the facts and then determine what must be done.

"If I understand of the Interborough financing is true, it is little short of a crime the way the New York Government has been cheated. There are subway contracts giving preferential treatment to the corporation on an entirely wrong basis, and I cannot comprehend how the city could have accepted such a deal.

"Why should there be any such a preferential treatment in favor of the company and at the city's expense? The transit company should not have a preference over the city.

"If a commission such as the Governor recommends to New York, the city has no right to do something so unfair. Contracts can be kicked out and the city protected. Certainly no one would for a moment ever consider giving the Interborough the same fare as far as such preferential treatment against the city. The company must give up its unfair advantages.

"The city should have a fair return on its \$20,000,000 investment in the subway. The interest on the underlying bonds should be paid.

"This is my conception of what the Governor has recommended. This is the cry coming from one source only in New York is purely a political cry. Those making it know it is unfair, they simply refuse to be fair. Evidently they do not care how the situation drifts into complete ruin in order to give up the political possibilities involved and deal fairly with it. I believe the public will understand in a short time there is no basis for the 8 cent fare cry."

APPEAL TO BAKER FOR STATEN ISLAND SUBWAY

Van Name Going to Washington to Get Permission.

Tired of delay in the matter of getting a subway connection to Staten Island, Henry D. Van Name, Borough President of Richmond, announced yesterday that he will leave for Washington to get permission to take the project in hand and left for Washington to confer with the War Department regarding the lifting of certain regulations in connection with the use of the Narrows.

John H. Delaney, Transit Construction Commissioner, in his report last year recommended construction of a subway from the Battery to Brooklyn under the Narrows. The War Department is understood to have objected to test borings in the bottom of the Narrows to determine what sort of ground would be encountered in boring a tunnel.

Mr. Van Name seeks to overcome those objections and also to obtain permission for the construction of a vehicular roadway under the Narrows and Ohio Railroad Bridge over the Kill Van Noe to New Jersey, where Jersey authorities have promised to connect the bridge with the main highway between Elizabeth and Perth Amboy. Mr. Van Name also will ask for the use of a strip of the army aviation field at New Dorp, Staten Island, for the widening of New Dorp lane.

BLOCK TRACTION RESOLUTION.

Aldermen Table Attack Made on Governor Miller.

Objection from Alderman August Frenkel, Republican floor leader, prevented immediate consideration yesterday of a resolution introduced in the board by Alderman William T. Collins, Democrat, floor leader, opposing Governor Miller's plan for solution of the transit problem and attacking the Governor in bitter terms. The resolution was referred to the committee on State legislation.

The resolution called upon "all elements of our citizenry, regardless of political affiliation, to organize in potential numbers and resist this outrageous assault on home rule and the principles of self-government." The resolution also declared that "no elected official in either high or low station in the whole history of this country has ever had the temerity to state such an astonishing falsity in regard to representative government," and referred further to the Governor's message as "the latest and basest edit of political autocracy."

LINE MUST STAY CLOSED.

The Public Service Commission decided yesterday the application of Lindsey M. Garrison, receiver for the Nassau Electric Railroad Company, operator of the Church Avenue trolley line in Brooklyn, to resume without exchange of transfers with connecting lines. Service on that line was suspended at the time of the Brooklyn strike. Under a court order the receiver was authorized to resume service on condition of abolition of transfers.

OPPOSED TO DOUBLING INCOME TAX EXEMPTION

Realty and Other Interests Object to Letting Down Bars.

Special Despatch to THE NEW YORK HERALD, Albany, Feb. 1.

Opposition to extending exemption under the State income tax law was voiced today by State Tax Commissioner John J. Merrill and representatives of the State Conference of Mayors and the New York Real Estate Board. They appeared before the Assembly Committee on Taxation to oppose the Halpern bill, making the exemption for unmarried persons \$2,000, instead of \$1,000, and for married persons \$4,000, instead of \$2,000, and the Roosevelt bill, providing an exemption of \$500, instead of \$200, for each dependent.

Commissioner Merrill, in attacking the bill, assailed the entire State tax system. He called it the "greatest badge of poverty on the face of God's footstool," and said that Gov. Miller was right when he characterized it antiquated and inefficient.

The hearing on the prohibition enforcement bill, scheduled for tomorrow, has been postponed until Wednesday of next week, as well as the hearing on the bills compelling New York city to stop voting machines.

WOULD PRESERVE RENT LAW.

Assemblyman Lyman Acts to Prevent Nullification.

Special Despatch to THE NEW YORK HERALD, Albany, Feb. 1.

Assemblyman Lyman of The Bronx today proposed to amend the new rent law court act, which goes into effect April 15, in order to eliminate any possibility of its interfering with the administration of the rent laws.

It has been stated that the court law would nullify the rent acts passed in special session. This would be done, it is feared, by transferring to the new court summary proceedings the enforcement of the law under the civil procedure code. Such a mixup will be avoided by the proposed amendment.

A PAIR of interesting new items—the Wart and the Peace—published daily in The Herald. Look them over today. Next to last page—add.

MILLER'S TRANSIT PLAN INDORSED BY BROOKLYN BODY

Time for Practical Action, Declares Chamber of Commerce.

'END HAZY ARGUMENT'

Proper Service to Public Seen in Programme of Governor.

LA GUARDIA IS PROBLEM

Place on Hylan Ticket Forecast in Opposition to Traction Solution.

The Brooklyn Chamber of Commerce fell into line yesterday with other similar organizations with an unqualified indorsement of Gov. Miller's programme for solving the city's transit problems. It stated in a declaration, issued through Herman A. Metz, Democrat and chairman of its transit committee, that it was no time to argue over the hazy and indefinite border line between home rule and the State's exercise of the police power.

There is much speculation over the political possibilities suggested by the position of F. H. La Guardia, President of the Board of Aldermen, who by his stand on the Miller message has been working himself out of sympathy with Republican leaders. He has been wild as much in vigorous language. An editorial in the New York American of William Randolph Hearst yesterday morning headed "La Guardia, Real Leader," was taken as intended to keep La Guardia fighting. Not only that, but there was a subtle suggestion, some politicians thought, that Mr. Hearst might find a place on the Hylan ticket for La Guardia if the Republican party should turn him down.

In 1903 Tammany astonished the town by putting on its ticket for Comptroller and President of the Board of Aldermen two men who had served in those places in an anti-Tammany administration. They were Edward M. Groot and Charles V. Fornes.

President La Guardia would not comment on the possibility, but he said:

"I have absolute confidence in my party, that it will change the Miller plan so as to make it workable, fair and applicable to New York city conditions. As a matter of fact, Mr. Miller is not for the Miller plan. He is going to supplement, amend and change his own plan. Of this I am sure."

Samuel S. Koenig refused to discuss the position of President La Guardia. "I have seen no disposition on the part of our Republican legislators to be of any assistance to Tammany Hall," he said.

The Board of Governors of the Brooklyn Chamber of Commerce were unanimous in the preparation of the indorsement to the organization. Mr. Metz, chairman of the board, is a former Democratic Comptroller of the city. The "intolerable" transit conditions are recited and the resolution is held to be so critical that immediate action is needed.

The statement continues:

"In presenting his programme, however, the Governor discusses several questions of policy necessarily involved therein, such as the extent of the police power of the State in relation to public transit; the history of rapid transit legislation; the relation of State regulation to municipal home rule, and the quasi-judicial character of the Public Service Commission. While the public discussion has centered about these questions of policy, especially the question of home rule, they are not, in our opinion, matters which at this critical time should be permitted to becloud the important issue involved in finding a practical solution of the transit problem.

"We believe that the members of the Brooklyn Chamber of Commerce are generally in favor of home rule in municipal affairs, but New York city is concerned at this time with finding an immediate solution to the present intolerable transit condition. The local authorities have failed to find a way out. Three years of fruitless effort and no solution. Neither the city nor the transit companies has presented a constructive programme or shown a real desire to solve the problem. They are both standing obstinately on their legal rights while the travelling public suffers.

"It is no time, in our opinion, to argue over the hazy and indefinite border line between local home rule and the State's exercise of the police power. It is time to turn to some authority which can offer some practical way out of our difficulties before conditions become more chaotic.

"In our opinion the Governor has suggested a programme which, under existing conditions, will most effectively restore stability to the transit system and most quickly give the public the service which it needs and has the right to demand."

Calling attention to the fact that the Governor proposes nothing specific as a rate of fare, the statement goes on to say: "The false cry of an eight cent fare is merely an attempt to lead the public away from the real issue at this critical time. The issue is not a question of an eight cent fare, or any rate of fare, but a choice between order and chaos in the transit situation."

ASK Hylan TO NAME A HOME RULE DAY

Community Councils Attack Gov. Miller's Plans for Transit Reformation.

The City Parliament of Community Councils, meeting last night in the Board of Estimate Chamber of City Hall, adopted resolutions favoring home rule in transit matters as against the State commission proposed by Gov. Miller, and called upon Mayor Hylan to name a "Home Rule Day" as a civic holiday.

A resolution was adopted also favoring the passage of the Booth daylight saving bill pending before the Legislature.

The meeting of the parliament is to be followed with council meetings throughout the city protesting against any invasion of home rule with regard to transit.

The principal speaker on transit was F. H. La Guardia, President of the Board of Aldermen, who opposed the Governor's plan and advocated his own, which was advanced in his message last night. He charged the Board of Aldermen, as the proper solution. His plan was the creation of a single operating company to take over the various transit systems with the city of New York responsible for the operation and supervision of home rule.

Mr. La Guardia characterized Gov. Miller's plan as one which would "bring about the abolition of home rule, a carnival of stock gambling, an orgy of financial manipulation and increased fare, and in a few years the entire collection of the transit system."

He compared the Philadelphia Rapid Transit Company, of which Thomas E. Mitten, with whom he conferred Monday, is president, with the transit commission here. He said the Philadelphia transit facilities may be operated successfully on a 5 cent fare. Points in which he indicated the Philadelphia concern was more efficient and economical were: shorter lines, shorter basins, expenditures for maintenance and equipment, expenditures for insurance, cost of legal department, liabilities paid for injuries, amounts spent for power, cost of well fare work and greater realization from advertising space in cars. Mr. La Guardia said that whereas the Philadelphia lines are successful to-day ten years ago they were in a worse condition than the New York lines are now.

He called upon New Yorkers to lay politics aside and rally to the defence of the city.

The meeting was scantily attended, except for actual representatives of local councils. Henry Curran, Borough President of Manhattan, spoke on the need of housing relief and asked these present to ask their Aldermen to support the measure pending for exemption of new dwellings from taxation.

JURY CANNOT RULE ON WIDOW'S 'LOVE' BOND

Justice Bijur Will Personally Study Document.

Supreme Court Justice Nathan Bijur refused yesterday to permit a jury to determine an action for breach of "a deep bond of friendship, affection and regard," which was the unusual document on which Mrs. Wallace P. White, a widow, of 303 West Eighty-first street, based her suit against Courtland Palmer of New London, Conn.

The Justice announced he would settle for himself whether public policy would be hurt by such suits to recover from breaches of bonds of friendship, affection and regard.

According to the terms of the bond, Palmer, who was not at the trial and who had long been a roomer at Mrs. White's home, was required to pay her \$10 a month during her life after he left her household. The plaintiff testified that there had been no impropriety in the relations between herself and her roomer and that the bond was given to recompense her against "loss of his friendship, affection and regard."

She admitted she had written a letter to Mr. Palmer in which she said:

"Don't discuss this with any one. Our lives must be a sealed, sacred book always, forever."

William H. Darrow, counsel for Mr. Palmer, asked Mrs. White if she knew Palmer was a married man and she replied she did.

\$100,000 MORE FOR FORDHAM.

Student canvassers for the Fordham University endowment campaign returned to the university yesterday and turned in reports indicating that they had raised about \$100,000. The total for the fund officially recorded last night was \$301,359. Otto H. Kahn contributed \$1,000 yesterday.

FORBIDS PENSIONS FOR POLICE UNDER CHARGES

Whitman's Inquiry Prompts Introduction of Measure.

Special Despatch to THE NEW YORK HERALD, Albany, Feb. 1.

Police officials are forbidden to resign on pensions while facing charges of misconduct under terms of a bill introduced today by Assemblyman Steinberg. The measure would require that all city employees entitled to a pension must get the consent of the Board of Estimate and Apportionment before they can retire.

In discussing his bill Assemblyman Steinberg called attention to the indictment last week through the Whitman investigation of a police captain within a couple of days after he had been retired on a pension by Commissioner Enright.

"With the discovery of a graft room in Police Headquarters," Steinberg said, "where graft was paid to a few of the men higher up, it is time that something of this sort was done. The bill will not hurt the ten thousand or more honest members of the department who suffer because of the grafting activities of the few in control of the system."

TAMMANY LEADER IN ALBANY

Calls for Inquiry, Citing Miller's Attitude.

SUSPECTS 'MASTER HAND'

Movements of Securities De-tailed in Resolution to Prove 'Raid.'

Special Despatch to THE NEW YORK HERALD, Albany, Feb. 1.

James J. Walker, Tammany leader of the Senate, offered today a concurrent resolution calling for a legislative investigation of transactions on the Stock Exchange in New York city traction securities between July 1 and November 1 last. The resolution was referred to the Finance Committee, where it probably will remain.

Gov. Miller's transit plan is bound to result in a big increase in the value of transit securities, Senator Walker states, and the charges that the programme was foreshadowed in the campaign last autumn. This is followed by the assertion that "speculators and manipulators" in the Stock Exchange brought about a decline in the value of securities prior to the designation of Mr. Miller for Governor at Saratoga. In the campaign these manipulators brought about a rise in values, the resolution states.

This "rigging of the stock market" was managed by those on the inside, the resolution charges. Accompanying the resolution is a lengthy statement showing the quotation values of various traction securities at the dates mentioned.

The resolution asserts further that this whole stock market movement is connected closely with the Governor's transit policy and that the Executive's plan to solve the traction muddle in New York follows closely the election promises.

The resolution continues:

"Such movement of the security market would only have been affected by the concerted action of certain persons or groups of persons acting by common impulse; first, to depreciate traction securities during July prior to the Governor's designation at Saratoga, and, second, to raise the quotations of traction securities over the period from August to October, when these securities reached a high level.

"Common honesty and public decency demand that this high public office be divorced from suggestion of barter and sale of stocks for profit, and the exposure of any person using public office or public policies for such transactions."

The resolution instructs a joint committee, for the creation of which provision is made, to ascertain from the records of the Stock Exchange the names of all floor traders in traction securities between July and November and the names of Stock Exchange firm authorizing the sales and purchases of Interborough and other city transit stock.

TWO MEN ARE HURLED TO DEATH IN 5TH AVE.

Crowds See Sixth Story Scaffold Break at 57th St.

Passengers on Fifth avenue buses and others passing at Fifty-seventh street and Fifth avenue yesterday afternoon saw the sudden toppling of a scaffold on the sixth floor of the new Heckscher Building, under construction. The two workmen standing on the scaffold plunged into the street, striking a car and an automobile. The planking of the scaffold fell on the men. Both died on the way to Roosevelt Hospital.

The accident produced a short tieup in traffic in Fifth avenue at that point. The dead men were William Hanson, 33 Pleasant Way, Cranford, N. J., and Carl Lave, address unknown. The men were riveters employed by the Hay Foundry Iron Works, 15 East Twenty-sixth street.

TRACTION STOCK JOB LAID TO POLITICIANS

Detective Testifies After Night in Jail

Continued From First Page.

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Another phase of the investigation has to do with rewards which, Mr. Whitman is informed, have been paid to the police by burglary insurance companies. He is told that they inspire the detectives to recover stolen property but not to catch the thieves, just as in the case of the rewards given for the return of automobiles. Witnesses in this field of inquiry are being examined by James E. Smith, Frederick J. Groehl and Arthur M. King, all of Mr. Whitman's staff.

ARMSTRONG PURGED OF CONTEMPT.

Detective Armstrong spent a profitable night in a prison cell.

Yesterday morning his counsel, Thomas I. Sheridan, talked with Mr. Whitman, District Attorney Swann and Judge Crain, who on Monday had imposed the sentence of thirty days in jail and \$250 fine for contempt of court.

Armstrong sent word that he was ready to answer the three questions put to him the day before. These were whether he had received rewards of \$100, \$50 and \$40 on stated days in April, May and July last year. When he was taken before the Grand Jury yesterday he was questioned by Mr. Whitman and the foreman, William S. Coffin. When he emerged, after an hour and forty-five minutes, he and Mr. Whitman were smiling.

"Was everything satisfactory?" asked Sheridan, Armstrong's attorney.

"Very much so," Mr. Whitman said.

Going before Judge Crain in General Sessions, Mr. Whitman said:

"This witness yesterday refused to answer certain questions asked him by the Grand Jury and was adjudged in contempt of court. To-day he has answered some of the questions in a satisfactory manner. Others will be asked him tomorrow and he has promised to appear."

I recommend therefore that he be purged of contempt and the fine of \$250 be remitted." The Judge so decided. Armstrong was surprised, because of words spoken on Monday by Mr. Whitman, that he was specially anxious to find out just why insurance men were told to go to headquarters and to pay Armstrong the rewards in cash, and why it was essential that no third person should be hanging around.

OLD AUTOMOBILE SQUAD DISBANDED.

"What did Armstrong say to you before he testified?" Mr. Whitman was asked.

"If I told you what he would have liked to say to me it wouldn't be fit to print."

"Did he keep all the money or share it with others?"

"I cannot answer that question."

Mr. Whitman then expressed his own belief that the payments were made in the manner indicated so that there could be no corroborative evidence.

The Police Headquarters order virtually disbanded the old automobile squad took effect at 4 P. M. Its commander for six years, First Grade Detective John Fitzpatrick, becomes an ordinary patrolman, assigned to the West 135th street station and his salary drops from \$3,300 to \$2,250 a year. Marty Owens and John Armstrong are reduced from first grade detectives at \$3,200 to uniformed sergeants at \$2,700. Owens goes to Mercer street and Armstrong to Simpson street, The Bronx. Both are to be reinstated as regulars when Armstrong will be restored to duty in view of the wiping out of the charge of contempt of court.

First Grade Detective Thomas Horan is transferred to patrol duty the Morristan station, The Bronx, and Second Grade Detective William T. Hemmerick to patrol at the Charles street station. Both are cut to \$2,250 a year, a patrolman's pay. Detective Hussey goes to the Liberty avenue station, Brooklyn, as a patrolman.

Hemmerick, who was indicted on Monday on a charge of illegally accepting a gratuity in the form of an automobile reward, was held yesterday by Judge Crain in \$2,500 bail for trial. He pleaded not guilty. His counsel is Denis O'Leary, ex-District Attorney of Queens.

SISSON CONFIRMED AS HIGHWAY CHIEF

Col. Greene, His Predecessor, Attacked by Senator Lusk for Extravagance.

DEFENDED BY DEMOCRATS

Senator Walker Charges That Road Material Manufacturers Are Behind Charges.

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Herbert S. Sisson of Buffalo, former State Excise Commissioner, was confirmed today by the Senate as State Highway Commissioner after Senator Clayton R. Lusk, majority leader, charged that Col. Frederick Stuart Greene had turned the department over to politicians. Senator Lusk said that the appointment of Sisson was to do "away with gross extravagance and incompetency."

Senator James J. Walker, the Democratic leader, in reply, declared that Col. Greene was sacrificed in the interests of certain road material manufacturers. Senator Lusk had said that the wasteful system of patrol repair gangs, instituted by Col. Greene, was responsible in part for his being replaced.

"The only 'gang' involved here is the Syracuse 'gang,'" retorted Senator Walker. "The Tarvia gang is responsible for the decree that Col. Greene must go and that Sisson, who we have been told, is a 'harmless' man, be put in his place. Col. Greene took the Highway Department out of politics and now you are putting it back. The real reason that he is out is that the Tarvia crowd and William Hamlin Childs decreed that he must go."

Senator Lusk declared that Green had been a complete failure as a roadbuilder. He charged that he had changed his specification for concrete eleven times since he had been in the department, and that at one time he constructed a road at a cost of more than the value of the entire real property in the town where it was built.

Senator Duell, Republican, of Westchester county, expressed resentment at the attack on Col. Greene. He said that Mr. Greene had received testimonials from 1,000 Republicans when it was learned that he would retire, and that many boards of supervisors and chambers of commerce had indorsed him.

The vote confirming Mr. Sisson was 27 to 5, the negative votes all being Democratic.

DIVORCEE WEDS A CHINESE.

Acting City Clerk Performs the Ceremony Here.

Michael J. Cruise, Acting City Clerk, performed the marriage yesterday in the chapel of the City Hall.

Bertha La Valley Gagnon, a divorcee, of Dodgeville, Mass., and Joseph Cheek Kwon, a Chinese, proprietor of a chop suey restaurant, who lives at 253 Fifth avenue, Mrs. Gagnon is 29 years old and Kwon is several years older.

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SILK FABRICS: Egyptian, Algerian or Mandarin silk crepe, in white or self striped effects.

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